

**CITY OF GROVE CITY, OHIO
PLANNING COMMISSION MINUTES**

REGULAR MEETING

July 2, 2013

The meeting was called to order at 1:30 p.m.

Chair Holt began the meeting with a moment of silence and the Pledge of Allegiance. Roll call was taken with the following members present: Mr. Marv Holt, Chair, Mr. Chuck Boso, Mr. Gary Leasure and Mr. Dan Havener. Mr. Mike Linder had an excused absence. Others present: Kim Shields, Planning/GIS Specialist; Kyle Rauch, Planning & Development Officer; Stephen Smith, City Attorney; Bill Vedra, Deputy City Administrator; Mike Boso, Chief Building Officer; Capt. Jeff Pearson, Grove City Police; Lt. Tammy Greene, JTF Inspector; Tami Kelly, Clerk of Council; Kendra Spergel, Planning Assistant; and Molly Frasher, Secretary.

Chair Holt noted a quorum was present. There were no changes to the minutes of the June 4, 2013 regular meeting or the June 14 special meeting. They were approved by unanimous consent.

Item #1 – Massey’s Pizza Sports Bar & Grill – Special Use Permit (Outdoor Seating) (PID# 201305170019)

The applicant is proposing to install an outdoor seating area for Massey’s Pizza to be located at 4015 Parkmead Drive. The proposed seating area will be an expansion of the existing outdoor area and will be approximately 1,400 square feet in area. The seating area will extend into the existing parking lot and consume six parking spaces. Curbing will be extended around the seating area to separate it from the vehicular area. Decorative black metal fencing is proposed around the seating area, with bollards around the perimeter to protect the area from vehicles as well as landscape planters to add further visual separation.

Ms. Shields stated that staff did not feel that the proposed outdoor seating area will affect the use of adjacent properties, nor will it affect the use of other business on the site. The materials state that background music, acoustic entertainers, or televised sporting events may be played within the seating area; however staff does not feel that this will impact adjacent uses, as these uses are primarily conducted indoors and the proposed seating area is more than 200 feet away from any structure on an adjacent parcel.

The following stipulations were noted:

1. The standing seam patio roof shall be finished forest green.
2. All exterior chair and tables shall be constructed of metal and finished black.
3. Umbrellas and fencing shall be free of signage.
4. Music and video activities on the patio shall be terminated by no later than 10pm nightly.

James and David Pallone, owners and applicants, were present to speak to the item. Mr. James Pallone stated that they plan to remove the existing fence and will replace it with wrought-iron black fencing and add some nice furniture. He also stated that Massey’s has been in business for sixty years and this would be a company store, not a franchise store. Mr. Pallone did not object to the stated stipulations.

Mr. Leasure made a motion to recommend the approval of the special use permit to City Council with the noted stipulations. Mr. Havener seconded and the vote was unanimously approved.

Item #2 – Grove City Coins and Currency – Method of Zoning Change (PSO to C-1) (PID #201305240020)

The applicant is proposing to rezone 0.447 acres located at 2655 Columbus Street from PSO to C-1 in order to operate a coin shop out of the structure. The site is bordered by single family residential to the south, commercial property to the west, a city park to the east, and the Grove City United Methodist Church to the north across Columbus Street.

Ms. Shields stated that staff does not feel the proposed zoning will harm the character of the area or affect the use of adjacent properties, as there are other commercial properties located within close proximity of the proposed site.

Clark Wolfe, applicant, was present to speak to the item. He stated that the store was previously located on Broadway for the past five years and he was the sole proprietor on the property to be rezoned. Chair Holt clarified that a dentist had previously occupied the building for office space and Mr. Wolfe stated that was correct.

Being no questions or comments, Mr. Havener motioned to recommend the approval of the zoning change to City Council as submitted, Mr. Leasure seconded and the vote was unanimously approved.

Item #3 – Ted’s Service Center dba T&T Service Center – Special Use Permit (Outdoor Sales)
(PID#201306110023)

The applicant is requesting a special use permit for outdoor sales in order to dispense propane at 4353 Broadway. The tank and filling equipment is proposed to be relocated from its existing location at Suburban Propane to the proposed location, to allow customer tanks to be filled at T&T Service Center. The tank is proposed to be located 13’ south of the existing structure, behind a chain link fence extended from the existing fence on the property – extended approximately seven (7) feet to the southeast, towards Broadway.

Ms. Shields stated that staff does not feel that the proposed location for the outdoor sale of propane on the site is appropriate, given its visibility from Broadway. The current location of the tank, on Suburban Propane’s property, is approximately 150 feet back from the Broadway right-of-way, while the proposed new location at T&T Service Center is approximately 50 feet from the Broadway right-of-way. Furthermore, the existing location is partially screened by Suburban Propane’s primary structure along Broadway, while the proposed location on T&T Service Center’s property is roughly adjacent to T&T primary structure.

Ms. Shields continued, stating that the applicant has indicated that fencing around the tank is not permitted under the LP-Gas Code; therefore staff believes the tank should be relocated further back on the lot to provide visual separation, similar to the tank’s current location at Suburban Propane.

Ted Simon, owner and applicant was present to speak to the item. Ron Johnson, land owner and Lisa Baker, Suburban Propane representative, were also present. Mr. Simon stated he has been in business on that site since 1986.

He stated that the proposed site for the propane tank was selected for multiple reasons. First, in the winter months, they reduce their staff to one to two people on site at a time, and if the tank were moved further back on the property, the front of the building would be left unattended. He explained that they display chainsaws, lawnmowers and other items. He stated that he believed one of the reasons Suburban Propane was getting out of the retail business was because of the inconvenience of having their office staff need to go back so far to get to the tanks. He asked for suggestions on screening, but stated that it would be difficult to meet the requirements of the LP Code and reiterated that locating the tank further back on the property would be a disadvantage for his employees.

Mr. Simon stated that they had to move the tank forward for RVs to be able to be serviced. An 18’ hose is allowed from the dispensing meter out.

He reiterated that the tank and all equipment would be relocated from Suburban Propane. Oversized crash posts are proposed as well as 8’ fencing. He stated that screening is a problem because there have been multiple occasions where someone has cut the fence to steal equipment and he felt that screening gives them more privacy.

Chair Holt asked Ms. Greene if the Fire Department had any issues with the tank. Ms. Greene stated that she has been working with Mr. Simon to get his tank up to code. The application complies with the Fire Code. She stated that emergency personnel need to be able to see the tank.

Mr. Leasure questioned staff on the rationale for moving the tank further back on the property from the proposed location. Ms. Shields stated it was visually too close to the right-of-way. She reiterated that staff does not oppose selling propane on the property, but that the proposed location was not appropriate, given its visibility from Broadway. She stated that

staff recommended screening the tank at the proposed location; however the LP Gas Code does not allow for that. Because of this, staff felt the tank would be more appropriate if moved further back on the property.

Mr. Simon stated he is proposing 6" in place of 4" crash posts to offer more protection of the tank. Posts would be 4' above ground and 3' below ground.

Mr. Leasure inquired into the height of the fence. Ms. Shields stated that Code requires six feet and that Mr. Simon is proposing eight feet tall fencing. He further stated that he would like to place barbed wire on the top to prevent kids from the skating rink from getting in. He reiterated that he felt that screening would hide the area and make it more likely to be tampered with. He said his main concern is safety; to ensure that fire department officials could see what is going on.

Chair Holt asked why the tank was on the southeast corner of the property and not the northwest. Mr. Simon stated that the northwest corner of the property was Mr. Johnson's property and would impede on his customer parking and business area, whereas the southern area is designated more for T&T Service Center.

Chair Holt asked if he could move it to the southwest corner of the property, in the rear of the building. Mr. Simon stated that the employees would still have to leave the store open, when filling tanks, leaving it vulnerable to thieves. Locating the tank near the front door will allow employees to keep an eye on the store while they are helping a customer at the tank.

Ms. Baker stated that the current location of the tank makes filling an RV easier.

Mr. Boso asked if Mr. Simon had considered orienting the tank east/west instead of north/south. Mr. Simon stated that people couldn't see the tank coming south, as proposed, but that turning it east/west was a possibility. Mr. Boso asked Ms. Green for clarification on the fire code and visibility of the tank. Ms. Green stated that the LP Gas Code states that tanks should not be hidden as it can pocket gases and interfere with the cooling of the tank from the fire department. Fencing could also redirect flames against the tank and impede the egress of personnel in case of emergency. She stated that not everyone will know where it is located, in case mutual aid needs to come in. Mr. Boso stated that Code only permits 6' fencing and that barbed wire is not permitted. Mr. Simon stated he would not use barbed wire.

Chair Holt asked Ms. Green if a chain-link fence with no shading slats would meet the Fire Code. Ms. Green stated that it would. Mr. Boso asked how much of the tank had to be exposed to meet Fire Code requirements. Mr. Simon said that nine feet would be required, because the tank is 3' wide and the code requires 3' on either side for access by safety personnel. Ms. Green confirmed that 3' of clearance is required from the tank. Mr. Boso clarified that the 3' on either side was for clearance from fencing, not visual clearance; therefore, screening around the tank with only 4' unscreened for safety personnel visual would be acceptable.

Mr. Boso made a recommendation of approval of the special use permit to City Council with the following stipulations:

1. The tank shall be oriented east/west and setback from the building according to the Fire Code,
2. A chain-link fence with slats shall be installed around the tank with a four-foot visual (unslatted) opening parallel to Broadway;

Mr. Leasure seconded the motion.

Mr. Simon asked how close the filling area could be to the road. Mr. Boso stated that he thought the tank should be behind the fence, with the hose coming through the fence. Mr. Simon stated that the tank would be behind where the existing fence is and the filling area would be in front of the existing fence. There would be a 9' gate, unslatted. All of the remaining fence would be slatted.

Mr. Boso questioned the equipment along the front of the fenced area. Mr. Simon said they were abandoned mowers and trade-ins, and they will be filling a dumpster to reduce the number on site to about twenty or twenty-five pieces of equipment.

Ms. Baker reminded the Commission that the tank must be set back at least 10' from the building. Mr. Simon said it would be about 20' from the building, parallel to the building.

Mr. Havener asked for clarification on how much fence will be extended. Mr. Simon responded that a protrusion of 7' towards Broadway, 9' wide, for the filling area is all that will be extended, with the tank behind it. This would allow room for the 18' hose to be extended to service motor homes. Mr. Boso asked about the anticipated frequency of RV visits to the site. Ms. Baker stated that maybe two RV's would stop on a holiday weekend.

Mr. Boso suggested a revised plan be submitted to City Council showing the new location of the tank. Ms. Kelly asked that the revised exhibit be submitted by Monday morning.

Chair Holt reminded the Commission that a motion had been made by Mr. Boso, seconded by Mr. Leasure, and called for a vote. The motion was unanimously approved.

Item #4 – Buckeye Ranch Foundation – Lot Split

(PID# 201306180024)

The applicant is proposing to split approximately 27 acres on the north side of London Groveport Road into four unique parcels. The proposed split will create the lots as shown on the approved development plan for the Grove City Ranch Development, to be made up of a multi-family housing development, two commercial outlots, and a future expansion of the Buckeye Grove Shopping Center. The proposed lots follow the boundaries of the PUD zoning districts as approved by City Council.

There were no questions from the Planning Commission or public.

Mr. Leasure motioned to approve the lot split, Mr. Havener seconded and the vote was unanimous.

Having no further business, Chair Holt adjourned the meeting at 2:08 p.m.

Molly Frasher, Secretary

Marv Holt, Chair